

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Dustin Drew Pellican**

Case Number: **2:14CR00381**

Name of Sentencing Judicial Officer: **Honorable James C. Mahan**

Date of Original Sentence: **June 18, 2015**

Original Offense: **Felon in Possession of a Firearm**

Original Sentence: **30 Months and 20 Days prison, followed by 36 Months TSR.**

Date of Prior Revocation: **September 21, 2018**

Revocation Sentence: **7 Months custody, followed by 29 Months TSR**

Date Original Supervision Commenced: **April 21, 2017**

Date Second Term of Supervision Commenced: **October 15, 2018**

Name of Assigned Judicial Officer: **Honorable James C. Mahan**

PETITIONING THE COURT

☒ To issue a warrant.

☐ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Shall Not Commit Crime** - The defendant shall not commit another federal state or local crime.

RE: Dustin Drew Pellican

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A. On or about March 3, 2020, Pellican was arrested for the following crime:

- Violation of Domestic Violence Temporary Protective Order, 1st Offense, in violation of NRS 033.100.1.

B. On or about March 9, 2020, Pellican was arrested for the following crimes:

- Violation of Domestic Violence Temporary Protective Order, 1st Offense, in violation of NRS 033.100.1.
- False Statement to or Obstruct Public Official, in violation of NRS 197.190.

2. **Refrain From Unlawful Use of Controlled Substance** - The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.

Pellican failed to report for drug testing as required on the following dates:

- October 5, 2019
- November 12, 2019
- December 21, 2019
- January 11, 2020
- February 22, 2020

3. **Report Police Contact Within 72 Hours** - If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.

Pellican failed to report his contact with police and arrest on March 3, 2020.

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **March 10, 2020**

Benjamin
Johnson
Benjamin Johnson for 2020.03.10
19:14:38 -07'00'

Bryce D. Stark
United States Probation Officer

Approved:

Benjamin Johnson Benjamin Johnson
2020.03.10 19:13:35
-07'00'

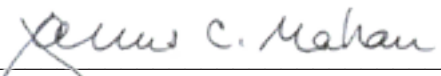
Benjamin B. Johnson
Supervisory United States Probation Officer

RE: Dustin Drew Pellican

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THE COURT ORDERS

- ☐ No Action.
☒ The issuance of a warrant.
☐ The issuance of a summons.
☐ Other:



Signature of Judicial Officer

March 11, 2020

Date

RE: Dustin Drew Pellican

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. DUSTIN DREW PELLICAN, 2:14CR00381**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
March 10, 2020**

On March 3, 2020, Pellican was arrested by the Las Vegas Metropolitan Police Department (LVMPD) for Violation of Domestic Violence Temporary Protective Order.

On March 3, 2020, LVMPD officers responded to a domestic violence call at 5071 East Hacienda, Las Vegas, Nevada where they met with Pellican's ex-girlfriend. Police had been called regarding an argument between she and Pellican and that a temporary protective order was in place.

Officers located Pellican parked at a nearby gas station at 5010 East Tropicana Avenue, Las Vegas, Nevada, standing outside a red Chevrolet Tahoe at 2:02 AM. Pellican identified himself to police and police noted that he fit the description of the suspect involved in the report.

An interview with the victim revealed that she had reportedly left her residence to go to Circle K located at 5010 East Tropicana Avenue. While she was gone she received text messages from Pellican's cellular telephone number asking her to open her door. The victim believed that Pellican had broken the lock to the garage and entered her residence, noticed she was not home, then went to look for her. She also indicated that Pellican had advised her he was going to kill her once he found her. She reported she obtained a Lyft ride to her residence as she was in fear for her safety and called police.

Officers indicated they saw text messages to the victim's telephone from Pellican's number from March 3, 2020, indicating he wanted her to open the door, and the following statements: "where you at you stupid ho; I'll come to Jessica's right now you think I do t where you at; bitch talking about goodnight; ima kills you; you better answer bitch before I burn this down; you stupid ho; where you at bitch I got a flat tryna look for you ho". Messages were received between the hours of 1:08AM and 1:28 AM from 702-960-3891. It should be noted that this number is the same number provided by Pellican to the United States Probation Office as his means of communication by cellular telephone.

Officers determined that there was an active temporary protective order, number 245751, regarding Pellican and Damasel Figueroa that he was served with on February 10, 2020, valid until March 23, 2020. Pellican was arrested and provided his cellular telephone number as 702-960-3892, one number different than that noted by officers during their investigation.

Pellican released from custody on bond on March 4, 2020. He failed to report the arrest to the United States Probation Office after his release from custody.

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On March 9, 2020, LVMPD officers responded again to 5071 East Hacienda for a call for assistance from Child Protective Services (CPS), where CPS was taking custody of four children. CPS indicated they believed Pellican was likely inside the residence. As an officer walked to the rear of the property, a male who fit Pellican's description was seen running south through a backyard and going over a wall. Officer's pursued the individual by foot and eventually took him into custody. The male was identified as Pellican. He advised officers that he ran because he knew he was not supposed to be in the residence. Pelican was arrested again for violation of domestic violence temporary protective order and the additional charge of obstruction a public officer.

Additionally, Pellican failed to report for random drug testing at Westcare on October 5, 2019, November 12, 2019, December 21, 2019, January 11, 2020, and February 22, 2020.


Pellican is currently in custody at the Clark County Detention Center. It is respectfully requested that a warrant be issued to initiate revocation proceedings. It is further requested that Pellican be detained pending his revocation proceedings.

Respectfully submitted,

 for Benjamin Johnson
2020.03.10
19:14:16 -07'00'

Bryce D. Stark
United States Probation Officer

Approved:

 Benjamin Johnson
2020.03.10 19:13:56
-07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer